

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION**

B.P., et al.,

Plaintiffs,

v.

No: 2:23-cv-00071-TRM-JEM

CITY OF JOHNSON CITY, TENNESSEE, et al.,

Defendants.

_____ /

**JOINT STATUS REPORT, STIPULATION,
AND [PROPOSED] ORDER CONTINUING SPECIFIED DEADLINES**

Plaintiffs, B.P., H.A., and S.H., individually and on behalf of all others similarly situated, and Defendants City of Johnson City, Tennessee, Karl Turner, Toma Sparks, and Jeff Legault in their individual capacities, and Non-Parties Kevin Peters and Justin Jenkins (collectively, the “Parties”), by and through their respective counsel of record, hereby report to the Court on the status of settlement negotiations and enter into the stipulation below, with reference to the following facts:

WHEREAS, the Parties previously proposed, and the Court entered, an extension to certain case deadlines to allow time for the Parties to continue efforts to resolve the litigation (ECF 484);

WHEREAS, the Parties have made significant progress in settlement negotiations, overcome significant challenges, and are diligently working in good faith, however, they need additional time to complete that process;

WHEREAS, in light of the foregoing the Parties believe good cause exists for a further stay of ten (10) days;

THEREFORE, the Parties, by and through their undersigned counsel of record, hereby STIPULATE and request the Court enter an order:

1. The following deadlines in this matter are stayed for ten (10) days:
 - a. Plaintiffs' Reply in support of their Motion for Leave to File Third Amended Complaint (ECF 419) is extended to February 6, 2025.
 - b. Plaintiffs' Response in Opposition to Sparks' Motion for a Protective Order and/or Motion to Quash (ECF 469) is extended to February 10, 2025.
 - c. Defendant Sparks's Reply in Support of his Motion for a Protective Order and/or Motion to Quash is extended to February 18, 2025.
 - d. Defendant City of Johnson City Responses to Plaintiffs' Sixth Set of Interrogatories and Twelfth Set of Requests for Production are extended to February 10, 2025.
 - e. Parties' disclosure of expert testimony is extended to February 13, 2025 and rebuttal expert testimony is extended to March 13, 2025.
2. The Parties will file a status report no later than January 31, 2025, advising on the status of the settlement and any proposed revised case deadlines as appropriate.

IT IS SO STIPULATED.

Dated January 21, 2025.

Respectfully submitted,

/s/ Julie C. Erickson

Julie C. Erickson (*pro hac vice*)

Elizabeth A. Kramer (*pro hac vice*)

Kevin M. Osborne (*pro hac vice*)

Erickson Kramer Osborne LLP

44 Tehama St.

San Francisco, CA 94105

415-635-0631

julie@eko.law
elizabeth@eko.law
kevin@eko.law

/s/ Vanessa Baehr-Jones

Vanessa Baehr-Jones (*pro hac vice*)
Advocates for Survivors of Abuse PC
4200 Park Boulevard No. 413
Oakland, CA 94602
510-500-9634
vanessa@advocatesforsurvivors.com

/s/ Heather Moore Collins

Heather Moore Collins (# 026099)
Ashley Shoemaker Walter (#037651)
HMC Civil Rights Law, PLLC
7000 Executive Center Dr., Suite 320
Brentwood, TN 37027
615-724-1996
heather@hmccivilrights.com
ashley@hmccivilrights.com

Attorneys for Plaintiffs and the Proposed Classes

/s/ K. Erickson Herrin

K. Erickson Herrin
HERRIN, McPEAK & ASSOCIATES
515 East Unaka Avenue
P. O. Box 629
Johnson City, TN 37605-0629
rachel@hbm-lawfirm.com

/s/Emily C. Taylor

Emily C. Taylor
WATSON, ROACH, BATSON &
LAUDERBACK, P.L.C.
P.O. Box 131
Knoxville, TN 37901-0131
etaylor@watsonroach.com

*Attorneys to Defendants Johnson City,
Tennessee, Karl Turner, in his individual and official
capacity, Investigator Toma Sparks, in his official
capacity, and Investigator Jeff Legault in his official
capacity*

/s /Jonathan P. Lakey

Jonathan P. Lakey
Burch, Porter, & Johnson, PLLC
130 N. Court Ave.
Memphis, TN 38103
901-524-5000
jlakey@bpjlaw.com
mchrisman@bpjlaw.com

Attorney to Defendant City of Johnson City, Tennessee

/s /Kristin Ellis Berexa

Kristin Ellis Berexa
Ben C. Allen
FARRAR BATES BEREXA
12 Cadillac Drive, Suite 480
Brentwood, TN 37027-5366
kberexa@fbb.law
ballen@fbb.law

Counsel for Toma Sparks in his individual Capacity

/s /Keith H. Grant

Keith H. Grant
Laura Beth Rufolo
Robinson, Smith & Wells, PLLC
633 Chestnut Street, Suite 700
Chattanooga, TN 37450
kgrant@rswlaw.com
lrufolo@rswlaw.com
awells@rswlaw.com

Counsel for Defendant Jeff Legault in his individual capacity and Non-Party Justin Jenkins in his individual capacity

/s /Daniel H. Rader IV

Daniel H. Rader IV
MOORE, RADER & YORK PC
46 North Jefferson Avenue
P. O. Box 3347
Cookeville, TN 38501
danny@moorerader.com

Counsel for Non-Party Kevin Peters in his individual Capacity

[PROPOSED] ORDER

Pursuant to the foregoing Stipulation and for the good cause shown, it is hereby

ORDERED:

1. All current deadlines in this matter are stayed for ten (10) days in accordance with the motion as follows:
 - a. Plaintiffs' Reply in support of their Motion for Leave to File Third Amended Complaint (ECF 419) is extended to February 6, 2025.
 - b. Plaintiffs' Response in Opposition to Sparks' Motion for a Protective Order and/or Motion to Quash (ECF 469) is extended to February 10, 2025.
 - c. Defendant Sparks's Reply in Support of his Motion for a Protective Order and/or Motion to Quash is extended to February 18, 2025.
 - d. Defendant City of Johnson City Responses to Plaintiffs' Sixth Set of Interrogatories and Twelfth Set of Requests for Production are extended to February 10, 2025.
 - e. Parties' disclosure of expert testimony is extended to February 13, 2025 and rebuttal expert testimony is extended to March 13, 2025.
2. The Parties are to file a status report by January 31, 2025, advising on the status of the settlement and proposal for revised deadlines as appropriate based on that status.

IT IS SO ORDERED.

Date: _____

By: _____
District Judge Travis R. McDonough

CERTIFICATE OF SERVICE

I HEREBY certify that a copy of the foregoing has been filed and served via the court's electronic filing system on January 21, 2025 to counsel of record:

<p>K. Erickson Herrin HERRIN, McPEAK & ASSOCIATES 515 East Unaka Avenue P. O. Box 629 Johnson City, TN 37605-0629 rachel@hbm-lawfirm.com</p> <p>Emily C. Taylor Maria Ashburn WATSON, ROACH, BATSON & LAUDERBACK, P.L.C. P.O. Box 131 Knoxville, TN 37901-0131 etaylor@watsonroach.com mashburn@watsonroach.com</p> <p><i>Attorneys to Defendants Johnson City, Tennessee, Karl Turner, in his individual and official capacity, Investigator Toma Sparks, in his official capacity, and Investigator Jeff Legault in his official capacity</i></p> <p>Jonathan P. Lakey Burch, Porter, & Johnson, PLLC 130 N. Court Ave. Memphis, TN 38103 901-524-5000 jlakey@bpjlaw.com mchrisman@bpjlaw.com</p> <p><i>Attorney to Defendant City of Johnson City, Tennessee</i></p>	<p>Kristin Ellis Berexa Ben C. Allen FARRAR BATES BEREXA 12 Cadillac Drive, Suite 480 Brentwood, TN 37027-5366 kberexa@fbb.law ballen@fbb.law jdowd@fbb.law msutton@fbb.law gpatton@fbb.law</p> <p><i>Counsel for Toma Sparks in his individual Capacity</i></p> <p>Keith H. Grant Laura Beth Rufolo Robinson, Smith & Wells, PLLC 633 Chestnut Street, Suite 700 Chattanooga, TN 37450 kgrant@rswlaw.com lrufolo@rswlaw.com awells@rswlaw.com</p> <p><i>Counsel for Jeff Legault and Non- Party Justin Jenkins in their individual capacity</i></p> <p>Daniel H. Rader IV MOORE, RADER & YORK PC 46 North Jefferson Avenue P. O. Box 3347 Cookeville, TN 38501 danny@moorerader.com</p> <p><i>Counsel for Non-Party Kevin Peters in his individual Capacity</i></p>
---	--

/s/ Julie C. Erickson
Julie C. Erickson